GOVERNMENT OF INDIA
EXTERNAL AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:4867
ANSWERED ON:20.12.2000
HAJ BILL
ABDUL RASHID SHAHEEN

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the Union Government propose to introduce the Haj Bill;

(b) if so, the details thereof;

(c) the salient features of the Bill;

(d) whether any organisations have demanded early passing of the Bill;

(e) if so, the names of organisations and their representatives;

(f) the time by which it is likely to be passed;
(g) whether it is proposed to increase the number of deputationists to give better service at Mecca and Madina; and
(h) if so, the number of deputationists proposed to be increased during Haj Season 2001?

Answer

THE MINISTER OF STATE FOR EXTERNAL AFFAIRS (SHRI AJIT KUMAR PANJA)

(a) The Haj Committee Bill, 2000 was introduced in the Rajya Sabha on 15.12.2000.

(b) & (c) Statement of Objects and Reasons outlining the salient features of the Bill is attached.

(d) & (e) Yes, Sir. Several individuals, organizations, Members of Parliament, representatives of the community and the Supreme Court of India have asked for early passing of the Bill.

(f) The time frame would be determined by Parliament.

(g) No, Sir.

(h) Does not arise.

STATEMENT OF OBJECTS AND REASONS
The Haj Committee Act, 1959 (hereunder referred to as the Act), replaced the Port Haj Committees Act, 1932. The central position given to Bombay in the Act, and the composition and the relatively limited powers of the Haj Committee, as established under the Act, was primarily intended to regulate the selection of Indian pilgrims, and their safe transportation, by ships, from Bombay to Jeddah. The said Act, thus established a Central executive authority to regulate sea, and later air travel between Indian points and Jeddah. In Saudi Arabia, the Indian Embassy in Jeddah, which was replaced by the Indian Consulate General from 1984, continued to have full responsibility for all aspects of Haj management. The Government of India, through the Ministry of External Affairs, were, in consequence responsible for all aspects of Haj management in India and Saudi Arabia.

2. Uptill mid-1960`s, all Indian pilgrims going for Haj travelled by sea from the Port of Bombay.After that, the number of pilgrims travelling by air gradually increased until, in 1995, travel of pilgrims by sea was discontinued, and all Haj pilgrims began to go by air on chartered flights. During the year 1999, these flights embarked from five points in India, that is, Mumbai, Calcutta, Delhi, Chennai and Bangalore; and efforts were made at that time to add other points as soon as additional facilities for handling international passengers become available. Thus, for the Haj-2000, Cochin and Ahmedabad have also been added, as embarkation points for Haj Pilgrims.

3. Uptill the year 1981, all intending pilgrims were required to send their applications to the Haj Committee, Bombay, which selected the pilgrims by a draw of lots, also called `Qurrah`. Subsequently, this selection was decentralised, and State Haj Committees were asked to conduct their respective `Qurrah`. They were also given greater participation in Haj management in such areas as pre-embarkation arrangements, transportation to embarkation points and provision for camp facilities at such points. Thus, from the year 2000, the primary responsibility for training and orientation of pilgrims has also been entrusted to State Haj Committees.

4. Since the Haj Committee Act, 1959 is more than forty years old, and since important changes in matters relating to Haj, including

those mentioned above, have made the Act obsolete, it no longer serves current needs. Some additional and important developments in this regard are:

(i) The number of Indian pilgrims who perform Haj through the Committee has increased from about 24,000 in the year 1992 to 72,000 in the year 2000. This has presented new management challenges to the Haj Committee;

(ii) the composition of the Haj Committee, as provided in the Act is unrepresentative in nature. It gives primary importance to Maharashtra, and specifically to Mumbai in the areas of Haj management; this is no longer tenable. Further, Haj sailings were reduced to three in 1984, and were finally ended in 1995. Now, the movement of all Haj pilgrims is by air from different points in India;

(iii) Over the last forty years, from time to time questions have been raised in different quarters regarding the respective powers and responsibilities of the Central and State Governments and of the Haj Committee. Again, over the last few years, complaints have been received by the Central Government regarding the mismanagement of its finances by the Haj Committee. These developments have emphasised the importance of ensuring that the new legislation relating to Haj should clearly define the authority of the Central and State Governments in the area of Haj policy and management, as also provide for a reformed and representative Haj Committee, with an effective mechanism to ensure financial propriety, and above all, eliminate ambiguities relating to jurisdictional matters.

5. The Bill seeks to repeal and reenact the Haj Committee Act, 1959 so as to achieve the above objects.